

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE
ALEX RIVERA DEGLANS and
IRELSY VELAZQUEZ REYES
Debtors

CASE NO. 11-02161 ESL
CHAPTER 11

**DEBTOR'S OBJECTION TO CLAIM 3, NOTICE,
AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

COME Now Debtors, represented by the undersigned counsel, and respectfully state and pray as follows:

1. On April 11, 2011, Real Time Resolutions, Inc., acting as agent for American Home Mortgage Servicing, Inc., filed claim number 3 in the amount of \$62,566.76, as secured, for account number ending in 9490, as per schedule D of the petition.

2. The Debtors aver that claimant is not a secured creditor to their real property.

3. The claim and attached documents do not include evidence of perfection of the security interest of the alleged second mortgage encumbering the property located at The Hamptons At Metrowest Condominium, 3209 Parkchester Square Blvd., Orlando, FL 32835.

4. Moreover, pages 24 through 41 of the claim and attachments do not establish any credit relationship between the herein Debtors and claimant. These seem to belong to another bankruptcy petition, In re: Reynaldo Colón, Chapter 13 Case No. 11-02569, and do not hold any pertinence with the case at hand.

5. Finally, American Home Mortgage's Servicing, Inc.'s attached copy of a limited power of attorney given by Sand Canyon Corporation, formerly known as Option One Mortgage Corporation, is not effective under the State Laws of Puerto Rico since it is not recorded in the Registry of Powers ("Registro de Poderes") of the Supreme Court of Puerto Rico, 4 L.P.R.A. § 2126 and 4 L.P.R.A. §§ 921-927. Consequently, neither American Home Mortgage's Servicing, Inc., nor its agent, Real Time

Resolutions, Inc., have standing to file claims for or on behalf of creditor Sand Canyon Corporation, formerly known as Option One Mortgage Corporation.

6. The claim is deficient because it does not provide evidence that there exists a valid contract between the debtors and the herein claimant. See Proof of Claim filed by claimant, objected in this motion.

7. By filing a deficient proof of claim, claimant is depriving the Court, the US Trustee, other creditors and the debtors the opportunity to determine the validity, legality and correctness of the claim.

8. For this reason, the Debtors hereby object claim number 3.

WHEREFORE, the Debtors respectfully pray that claim number 3 filed by Real Time Resolutions, Inc, be disallowed.

NOTICE TO CREDITORS AND PARTIES IN INTEREST

Within (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R.Bank.P.9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice requires otherwise. LBR 9013-1(h) (I), LBR 3007-1(c).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date I, electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants, including the US Trustee. I further certify to have sent a copy of the instant document via regular US mail to Real Time Resolutions, Inc., c/o American Home Mortgage, 1750 Regal Row, Suite 120, Dallas, TX 75235.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this October 6, 2011.

ALMEIDA & DÁVILA, P.S.C.
PO Box 191757
San Juan, Puerto Rico 00919-1757
Phone: (787) 722-2500
Fax: (787) 722-2227

S/ **ENRIQUE M. ALMEIDA BERNAL**
USDC-PR 217701
Email: ecalmeida@almeidadavila.com

S/ **ZELMA DÁVILA CARRASQUILLO**
USDC-PR 218913
Email: zdavila@almeidadavila.com